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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
KOFFI THOMAS,)
)
Defendant.)

Criminal No. CR 08-0657 MHP

**STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME**

The above-captioned matter came before the Court on November 17, 2008, for initial appearance. The defendant was represented by Mark Eibert, Esq., and the government was represented by Jeffrey Finigan, Assistant United States Attorney. The matter was continued to December 15, 2008.

The Court made a finding that the time from and including November 17, 2008, through and including December 15, 2008, should be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A), because the ends of justice served by taking such action outweighed the best

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1 interest of the public and the defendant in a speedy trial. The finding was based on the need for
 2 the defendant to have reasonable time necessary for effective preparation and for continuity of
 3 counsel pursuant to 18 U.S.C. § 3161(h)(8)(B)(iv).

4 The parties hereby agree to and request that the case be continued until December 15,
 5 2008, and that the exclusion of time until then be granted. The parties agree and stipulate that the
 6 additional time is appropriate and necessary under Title 18, United States Code, § 3161(h)(8)(A),
 7 because the ends of justice served by this continuance outweigh the best interest of the public and
 8 the defendant in a speedy trial. This time exclusion will allow defense counsel to effectively
 9 prepare, taking into account the exercise of due diligence, and will provide for continuity of
 10 counsel for the defendant.

11
 12 DATED: November 18, 2008

/s/
 MARK D. EIBERT
 Counsel for Koffi Thomas

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 14
 15 DATED: November 24, 2008

/s/
 JEFFREY R. FINIGAN
 Assistant U.S. Attorney

16
 17
 18 So ordered.

19 DATED: 11/25/2008

MARILYN HALL PATEL
 UNITED STATES DISTRICT JUDGE

